

## REMARKS

By amendment above, applicant has amended Claims 1, 11, and 13 to recite that the "dental structure" is a dental bridge. In addition, Claims 10 and 20 have been canceled.

In the outstanding final rejection, Claims 1-26 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,176,951 to Rudo in view of U.S. Patent No. 4,610,688 to Silvestrini et al., or U.S. Patent No. 4,816,028 to Kapadia et al., and further in view of U.S. Patent No. 6,250,193 to Head with or without U.S. Patent No. 5,962,550 to Akahane et al. For the following reasons, applicant asserts that independent Claims 1 and 13 as amended above, and the claims that depend therefrom, are nonobvious over the applied references for the following reasons.

Neither primary reference, Rudo or Kapadia et al., discloses or suggests a triaxial material. In paragraph 5 of the final rejection, the Office mistakenly concludes that Rudo discloses leno weaves having a triaxial structure and that a triaxial structure is taught by Kapadia et al. Applicant respectfully disagrees. Page 4, lines 25 and 26 of the current specification describes "triaxial material" as a material having three sets of fibers oriented in three different directions. Applicant acknowledges that both Rudo and Kapadia et al. disclose leno weaves; however, as shown by Figure 3 of Kapadia et al., a leno weave is not a triaxial material, but rather is a material that includes four sets of fibers oriented in four different directions. The leno weaves of Rudo and Kapadia et al. are quadaxial materials using a definition that is analogous to the definition of triaxial material in applicant's specification. In view of the failure of Rudo or Kapadia et al. to disclose a triaxial material, applicant requests the Office to reconsider its conclusions regarding the persuasiveness of the inventor's declaration filed on October 25, 2005. As a reminder, the inventor's declaration asserted that the triaxial materials of the claimed invention are substantially more rigid than the leno weave materials

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

described in Rudo and Kapadia et al. The inventor's declaration also asserted that his triaxial materials are not well adapted to be used in the types of dental applications for which leno weave materials are well adapted.

The Examiner in the outstanding final rejection dismisses applicant's assertion that the modification of the Rudo invention to use a triaxial material instead of a leno weave material would render the Rudo invention unsatisfactory for its intended purpose by concluding that applicant's assertion has little probative value since Rudo discloses leno weaves having a triaxial structure and such triaxial structures are taught by Kapadia et al. In view of the failure of Rudo or Kapadia et al. to disclose weaves having triaxial structures, applicant asserts that the Examiner must now take into consideration applicant's assertions, as supported by the inventor's declaration, that modification of the Rudo invention to use a triaxial material would render the Rudo invention unsatisfactory for its intended purpose.

Turning to the combination of Rudo and Silvestrini et al., contrary to the Examiner's conclusion, it would not be obvious to substitute the material of Silvestrini et al. into Rudo because Rudo does not teach or suggest the use of a triaxial material, such as that described in Silvestrini et al. Substituting the triaxial material of Silvestrini et al. for the leno weave of Rudo would render the invention of Rudo unsatisfactory for its intended purpose, i.e., performing dental repairs and reconstructions that require a material that can be manipulated to conform closely to the dental structures to be repaired or reconstructed. As described in the inventor's declaration, the claimed triaxial materials are not well adapted for dental repairs and reconstructions that require a material that can be manipulated to conform closely to the dental structures being repaired or reconstructed. The dental bridges to which the pending independent Claims 1 and 13 have been limited are dental structures that are not well adapted for dental repair

or reconstruction using a material that is easily manipulated to conform closely to the structure being repaired or reconstructed.

In view of the foregoing, applicant asserts that the subject matter of independent Claim 1 and independent Claim 13 as amended above, and the claims dependent therefrom, are novel and nonobvious over Rudo in view of Silvestrini et al. or Kapadia et al.

Head describes a braided structure that includes a triaxial woven material. Thus, the arguments set forth above regarding the triaxial woven material of Silvestrini et al. and the Rudo invention are equally applicable to Head.

Akahane et al. is silent regarding the use of a reinforcing woven material and is cited primarily for its disclosure of matrices to be reinforced. For this reason, Akahane et al. is not addressed further in this paper.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Jeffrey M. Sakoi  
Registration No. 32,059  
Direct Dial No. 206.695.1713

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JMS:ejh/dmg

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100